

**REMARKS**

Favorable reconsideration of the above-identified application is requested in view of the following remarks.

Examiner Poon is thanked again for indicating that Claim 6 is allowable. Accordingly, Claim 6 is rewritten in independent form. Claims 16 and 17 are newly added by this amendment. Thus, Claims 1-5 and 7-17 are presently at issue, with Claims 1, 14 and 15 being independent.

Claims 1-5 and 7-15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,129,639, hereinafter *DeHORITY*.

Some of the claimed subject matter is directed toward a first operating environment and a second operating environment, and prohibition of printing with prohibited parameters when the printer is in a prohibited operating environment. That is, beginning on the bottom of page one of the present application, it is described that a problem arises when a printer is in an environment where a person is not available to replenish paper or toner and print jobs are received on-line, e.g., during non-business hours. Therefore, according to one embodiment referred to at the bottom of page twenty-two of the present application, a solution entails setting time frames according to business hours and preventing printing with prohibited parameters according to those time frames. That is, printing of an on-line print job with prohibited parameters is prevented when it is outside the time frame set to normal business hours. Subject matter generally along those lines is defined by Claims 1, 14 and 15, in combination with other claimed features.

In contrast, *DeHORITY* discloses a printer system which compares print job requirements to printer capability. When a mismatch between the print job

requirement and the printer capability occurs, the system determines the best alternate match between the size, color, weight and type of paper by determining a mismatch magnitude. In column 3, lines 40-45, *DeHority* describes two modes of operation. The first mode automatically selects an alternative match when a mismatch occurs. The second mode is similar to the first, but adds the step of checking if the determined alternate match is acceptable to the user. Neither mode relates to a time period in which a print job is received.

As set forth in the previous Official Actions, the different first and second modes described in *DeHority* are relied upon for a disclosure of a first operating environment and a second operating environment. As noted in the previously filed Response, Applicant's do not agree with that proposition. However, in the interest of furthering prosecution, Claims 1, 15 and 16 are amended to more clearly define the claimed subject matter and to define over the cited document. Thus, Claims 1, 14 and 15 now generally include subject matter directed toward a first operating environment that is a first time period, a second operating environment that is a second time period, and that the second time period does not overlap the first time period. That subject matter, in combination with the other claimed features, is not disclosed by *DeHority*. That is, *DeHority* does not prevent printing based on a time period. For at least that reason, Claims 1, 14 and 15 are allowable.

Further, it would not have been obvious to modify *DeHority* to include the claimed features referred to above at least because doing so would discourage the intended purpose of *DeHority*. Basically, *DeHority* is concerned with printing despite a lack of specified supplies, i.e., a proper paper size or color. That idea is explained toward the bottom of column 1 in *DeHority* where it is stated that one objective is to

allow the user to specify that a print job should continue with the best match between the print job requirement and the printer capabilities. Further, toward the top of column 2 of *DeHority*, it is stated that another objective is to provide a printing system that will not reject print jobs for mismatches. In contrast to *DeHority's* objective, i.e., continuance of printing, the claimed embodiments mentioned above are concerned with preventing printing based on prohibited print parameters and a time period. Thus, modifying *DeHority* to prevent printing of a print job based on prohibited print parameters and a time period would compromise the intended purpose of *DeHority*, i.e., printing despite the lack of proper supplies irrespective of a time period. For at least those reasons too, Claims 1, 14 and 15 are allowable.

Claims 2-4 and 9-13 are allowable at least by virtue of their dependence from allowable independent claims, and also because they define features that additionally define over the cited documents.

For the reasons stated above, it is requested that all the rejections be withdrawn and that this application be allowed in a timely manner.

In the event that there are any questions concerning this response, or the application in general, the Examiner is respectfully urged to telephone the undersigned attorney so that prosecution of the application may be expedited.

Respectfully submitted,

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